

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	Case No. 3:13MJ163
Plaintiff,	:	Magistrate Judge Michael J. Newman
v.	:	
PHILLIP MOSES,	:	
Defendant.	:	

ORDER OF DETENTION

This case came on for a detention hearing on June 5, 2013, on motion of the United States to determine whether any condition or combination of conditions set forth in 18 U.S.C. § 3142(c) will reasonably assure the appearance of the Defendant as required in this case and the safety of the community.

The United States relied on the report of the Pretrial Services Officer, the presumption of detainability arising from the nature of the offense and the maximum and minimum sentences, and the probable cause determination made by the Court in issuing the arrest warrant. Defendant's counsel made a statement regarding corrections to the Pretrial Report on his client's behalf. No testimony was offered by either side.

Based upon the information presented in the Pretrial Services report, which is un rebutted by Defendant, and for the reasons stated on the record in open court, the Court finds by clear and convincing evidence that no condition or combination of conditions set forth in 18 U.S.C. § 3142(c) will reasonably assure the appearance of the Defendant as required in this case, and the safety of the community. The term "safety of the community" refers to the community's security

from criminal conduct by the Defendant, whether violent or not. *See United States v. Vance*, 851 F.2d 166, 169-70 (6th Cir. 1988).

The Government's motion to detain is **GRANTED**.

June 5, 2013

s/ Michael J. Newman
United States Magistrate Judge